

INDIAN AFFAIRS MANUAL

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1.1 Purpose. This chapter provides information on the authority, policies, and responsibilities for budget development within Indian Affairs.

1.2 Authority.

- A. Title 31 U.S.C. §§ 1104 - 1114,** Budget and Information.
- B. Title 25 U.S.C. § 476,** Indian Reorganization Act.
- C. Title 25 U.S.C. § 450j-1(i),** Indian Self Determination and Education Assistance Act, as amended.

1.3 Guidance. Office of Management and Budget (OMB) Circular A-11, Preparation and Submission of Budget Estimates.

1.4 Handbook. The "Budget Development and Formulation Handbook" is available from the Division of Budget, MS 4616-MIB, 1849 C Street, N.W., Washington, DC 20240.

1.5 Policy. It is the policy of Indian Affairs to actively encourage the participation of tribal governments in the budget process to facilitate effective and efficient delivery of services to tribal members based upon locally determined requirements.

1.6 Responsibilities.

A. Assistant Secretary - Indian Affairs, within the guidelines issued by the Department, determines the budget requests that are submitted to the Secretary.

B. Commissioner or Deputy Commissioner, Director, Office of Self-Governance, and Director, Office of Indian Education Programs, make recommendations to the Assistant Secretary based upon an evaluation of budget proposals made by tribal governments and by Indian Affairs directors and managers.

C. Central Office Directors develop budget proposals and justifications supporting requests for assigned programs or functions.

D. Area Directors

- (1) Formulate budgets for the area office and submit budgets to Central Office;
- (2) Distribute budgetary data to agency superintendents and tribal governments;
- (3) Provide opportunities for participation of tribal governments in the development of budget requests; and
- (4) Ensure the timely entry of budget data into the Tribal Allocations Priority System.

E. Chief, Division of Budget

- (1) Ensures the timely distribution of OMB and Departmental guidance on formulating the budget request;

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(2) Provides relevant budgetary data which will aid tribal governments and Indian Affairs officials in making informed recommendations for changes in the budget;

(3) Coordinates and consolidates recommendations for changes to the budget;

(4) Works with officials from the Department and from the OMB to resolve budget issues;

(5) Prepares and submits budget documents based upon decisions of the Assistant Secretary, the Secretary, and the President;

(6) Communicates budget decisions to appropriate Indian Affairs officials; and

(7) Provides Area Directors, the Director, Office of Indian Education Programs, and the Director, Office of Self-Governance, with the information required to be provided to Indian tribes under the terms of the Indian Reorganization Act.

1.7 Compliance with the Requirements of the Indian Reorganization Act. While all budget estimates are to be held confidential until released to the Congress by the President, the Secretary is also required by statute to advise tribal governments of “. . . all appropriation estimates or Federal projects for the benefit of the tribe prior to the submission of such estimates to the Office of Management and Budget and the Congress.” To resolve this contradiction, OMB has agreed that Indian Affairs officials may notify a tribe of the specific programs or projects for the benefit of that tribe, but may not make available information on the overall budget for Indian Affairs prior to the transmittal of the budget to Congress.